

REMARKS

This Supplemental Amendment corrects the “Previously Presented” status of claims 23-24 of the Amendment filed December 18, 2007.

Claims 1, 12, and 19 have been amended. Claims 25-27 have been added. Subsequent to the entry of the present amendment, claims 1-3, 5-10, 12, 13, 15-20, 23 and 24-27 are pending and at issue. These amendments and additions add no new matter as the claim language is fully supported by the specification and original claims.

Rejections under 35 U.S.C. § 103

A. Rejection of claims 1-3, 5-10, 12-13, 15-20, and 23-24

Claims 1-3, 5-10, 12-13, 15-20, and 23-24 are rejected under 35 U.S.C. §103(a) as being allegedly obvious over Bolson (US 4,564,889) in view of Kokin et al. (US 2004/0258567).

Applicant traverses this rejection.

Applicant has amended claim 1 to clarify that the showerhead includes “an optical lens element configured to emit a fluid from a plurality of fluid release points and to receive incident light rays, refract the incident light rays, and focus exiting light rays toward the fluid release points to illuminate outgoing fluid emitted from the fluid release points on the optical lens element”.

To establish a *prima facie* case of obviousness, the three basic criteria must be met: (1) there must be some suggestion or motivation to modify the reference as proposed by the Examiner; (2) there must be a reasonable expectation of success and (3) the prior art reference must teach or suggest all of the claim limitations. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); MPEP § 2143.

It is submitted, that Bolson in view of Kokin does *not* establish a *prima facie* case of obviousness, because the prior art references do not teach or suggest the claimed invention.

Bolson discloses a showerhead that includes a lens cap 32 that has an end wall 40 with a series of apertures 39 to allow the egress of water (col. 3, lines 12-25). The showerhead provides “underwater illumination or in-stream illumination” (Abstract). The showerhead includes a light 34 and a reflector portion 36. (col. 3, lines 16-18). “The light bulb 34 provides illumination in a direction substantially parallel with the flow of the pressurized water.” (col. 3, lines 26-28). While Boslon discloses a reflector portion, nowhere in Bolson is it disclosed that an optical lens element is configured ... to receive incident light rays, refract the incident light rays, and focus exiting light rays toward the fluid release points to illuminate outgoing fluid emitted from the fluid release points on the optical lens element.” Instead Bolson provides a wide beam of parallel light from the light 34 and the reflector portion 36. These are not focused exiting light rays toward the fluid release points. While Bolson does disclose that “a series of various colored and/or reflective lens caps 32 can be used” (col. 4, lines 6-7), nowhere in Bolson is it disclosed that the lens cap 32 is “an optical lens element configured to emit a fluid from a plurality of fluid release points and to receive incident light rays, refract the incident light rays, and focus exiting light rays toward the fluid release points to illuminate outgoing fluid emitted from the fluid release points on the optical lens element”.

Applicant requests a copy of the cited page of the dictionary in the Office Action (page 4) that defines “lens”. Applicant submits that a transparent lens cap 32 of Bolson is not a lens because the surfaces of the lens cap 32 are parallel, and thus are not a lens. Notwithstanding this definition, Applicant has amended claim 1 to clarify that the optical lens element focuses exiting light rays. This feature is not disclosed or even suggested in Bolson.

Nor are these features disclosed or suggested in Kokin. At best, Kokin discloses “a device for monitoring and illuminating a fluid” and the device may be a showerhead (paragraph [0028]). Nowhere in Kokin is it disclosed that the showerhead includes “an optical lens element configured to emit a fluid from a plurality of fluid release points and to receive incident light

rays, refract the incident light rays, and focus exiting light rays toward the fluid release points to illuminate outgoing fluid emitted from the fluid release points on the optical lens element”

Kokin also discloses a light source 23 that generates an illumination beam 27, which is directed into the fluid stream 16 (paragraph [0031]). Nowhere in Kokin is it disclosed that the light source 23 “are directed toward the optical lens element” and “illuminate outgoing fluid emitted from fluid release points on the optical lens element.”

Claims 12 and 19 have also been amended similarly as claim 1 and should also be allowable for the same reasons listed above.

Accordingly, both Boslon and Kokin, either individually or in combination fail to teach or suggest “an optical lens element” and “one or more lights attached to the body portion such that beams from the one or more lights are directed toward the optical lens element and the outgoing fluid” as described in the present invention.

Withdrawal of rejection of claims 1-3, 5-10, 12-13, 15-20, and 23-27 under 35 U.S.C. §103 is respectfully requested.

Claims 25-27 have been added. Claims 25-27 are patentable for at least the reasons described above for claims 1, 12 and 19, respectively.

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Conclusion

In view of the amendments and above remarks, it is submitted that the claims are in condition for allowance, and a notice to that effect is respectfully requested. The Examiner is invited to contact Applicant's undersigned representative if there are any questions relating to this application.

No fee is deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees that are required, or credit any overpayments to Deposit Account No. 07-1896 referencing the above-identified attorney docket number.

Respectfully submitted,

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